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7 DIVYANG VED,
8 Plaintiff,
9 v.
10 GLOBAL FITNESS VENTURES, LLC,
11 Defendant.

Case No. 25-cv-03286-HSG

ORDER TO SHOW CAUSE

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13 Having reviewed the operative complaint, Dkt. No. 25 (“SAC”), and the motion to dismiss,
14 Dkt. No. 26, the Court cannot confirm that it has subject matter jurisdiction over this matter.
15 Plaintiff has alleged that the Court has diversity jurisdiction because “the amount in controversy
16 exceeds \$75,000 and is between citizens of different states.” SAC at 2 (citing 28 U.S.C. § 1332).¹
17 But Plaintiff’s assertion of diversity jurisdiction is not sufficiently supported by the allegations in
18 the SAC. *See Rainero v. Archon Corp.*, 844 F.3d 832, 840 (9th Cir. 2016) (“The party seeking to
19 invoke the district court’s diversity jurisdiction always bears the burden of both pleading and
20 proving diversity jurisdiction.”) (quotation omitted).

21 Defendant Global Fitness Ventures, LLC, is a limited liability corporation. *See* SAC at 2.
22 As such, it is a citizen of every state in which its individual members are citizens. *See Johnson v.*
23 *Columbia Props. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006). But Plaintiff has not alleged
24 the citizenship of the LLC’s members. Similarly, Defendant Spain Fitness Ventures, LP, as a
25 limited partnership, is a citizen of every state in which the individual partners are citizens. *See id.*
26 Again, Plaintiff has not alleged the citizenship of these partners.

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28 ¹ Because the paragraph numbers in the SAC are not consecutively numbered, the Court cites to
the PDF pagination.

1 The Court therefore **ORDERS** Plaintiff to **SHOW CAUSE** why the case should not be
2 dismissed for lack of subject matter jurisdiction. Plaintiff shall file a brief of no more than four
3 pages by August 25, 2025. Because jurisdiction is a threshold issue, the Court takes the pending
4 motion to dismiss, Dkt. No. 26, under submission, and **VACATES** the hearing and initial case
5 management conference currently scheduled for 2:00 p.m. on August 21, 2025.

6 **IT IS SO ORDERED.**

7 Dated: 8/13/2025

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9 HAYWOOD S. GILLIAM, JR.
10 United States District Judge

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United States District Court
Northern District of California